## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:18-CV-390-D

PATRICK SOLOMON,		)	
	Plaintiff,	)	
v.		)	ORDER
C.I.A.,		)	
	Defendant.	)	

On August 6, 2018, Patrick Solomon ("Solomon" or "plaintiff"), appearing pro se, applied to proceed in forma pauperis under 28 U.S.C. § 1915 [D.E. 1]. On August 17, 2018, the court referred the motion to Magistrate Judge Swank for frivolity review [D.E. 3]. On November 27, 2018, the Magistrate Judge assignment was changed to Magistrate Judge Gates. On December 3, 2018, Magistrate Judge Gates issued a Memorandum and Recommendation ("M&R") [D.E. 4] and recommended that Solomon's application to proceed in forma pauperis be granted and that the complaint be dismissed as frivolous. Solomon did not object to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." <u>Diamond v. Colonial Life & Accident Ins. Co.</u>, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); <u>see</u> 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." <u>Diamond</u>, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 4].

In sum, Solomon's application to proceed in forma pauperis [D.E. 1] is GRANTED and Solomon's complaint is DISMISSED as frivolous. The clerk shall close the case.

SO ORDERED. This 27 day of December 2018.

AMES C. DEVER III

United States District Judge